

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

MYNETTE TECHNOLOGIES, INC.
and STEVEN M. COLBY,

Plaintiffs,

V.

THE UNITED STATES,

Defendant,

and

GEMALTO, INC. and IDEMIA IDENTITY
& SECURITY USA LLC,

Intervenor-Defendants.

Case No. 16-cv-01647-RTH

Judge Ryan T. Holte

JOINT MOTION TO AMEND CASE SCHEDULE

Plaintiffs Mynette Technologies, Inc. and Steven M. Colby (collectively, “Mynette”), Defendant, the United States (“the Government”), and Intervenor-Defendants Gemalto, Inc. (“Gemalto”) and Idemia Identity and Security USA LLC (“Idemia”) (collectively, “the Parties”) respectfully submit this Joint Motion to Amend Case Schedule.

The Parties have jointly agreed upon the following amended schedule for consideration by the Court, and respectfully move the court to adopt this case schedule. The Parties submit that good cause exists for this proposed schedule amendment. The Parties have noticed numerous party and non-party depositions and conducted some of these depositions, and the deadlines proposed herein will allow the parties to complete the remaining depositions while accommodating the schedule of counsel and the witnesses. Additionally, the Government has learned that certain documents requested from the Department of Homeland Security implicate “sensitive

information” requiring additional and time-consuming security and confidentiality protocols, which must be followed before these documents can be produced. Additionally, because the witnesses being deposed in this case are located across the country and in some cases overseas, the parties submit that global health concerns surrounding the COVID-19 pandemic present an additional reason to extend the present case schedule. Given the continued uncertainty surrounding the COVID-19 pandemic at this time, the Parties reserve the right to seek further extensions under the schedule if appropriate.

Accordingly, for the reasons set forth herein, the parties respectfully request that the Court adopt the following schedule:

Event	Proposed Date	Current Date
<p>Close of fact discovery, including for damages-related fact discovery.</p> <p>The Parties have agreed that no new discovery requests will be served. Previously noticed depositions are permitted and the parties may follow up on previously propounded discovery requests.</p>	May 28, 2021	March 12, 2021
RCFC 26(a)(2)(A) disclosure of experts and CVs (except for damages)	June 18th	April 2, 2021
Exchange of RCFC 26(a)(2)(B) opening expert reports on issues upon which the parties carry the burden of proof (except for damages)	August 27, 2021	June 11, 2021
Exchange of RCFC 26(a)(2)(B) responsive expert reports (except for damages)	October 8, 2021	July 23, 2021

Event	Proposed Date	Current Date
Close of expert discovery (for all issues other than damages)	October 26, 2021	August 10, 2021
Deadline for Dispositive Motions Under RCFC 56	December 14, 2021	September 21, 2021
Deadline for Responses to Dispositive Motions	January 18, 2022	October 19, 2021
Deadline for Replies to Dispositive Motions	February 1, 2022	November 2, 2021
Pretrial Conference	Not Set	Not Set
Trial on liability (10 days)	Not Set	Not Set

Respectfully submitted,

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April 6, 2021

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April 6, 2021